

**REMARKS**

Claims 22 and 24 are all the claims pending in the application.

**I. The Rejection Under 35 U.S.C. §102(e)**

In paragraph 2 of the Final Office Action, claims 21 and 23 were rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Kumar et al.

Claims 21 and 23 have been cancelled. Therefore, it is submitted that the §102(e) rejection based on Kumar et al in moot and withdrawal is requested.

**II. The Rejection Under 35 U.S.C. §103**

In paragraph 3 of the Final Office Action, claims 22 and 24 were rejected under 35 U.S.C. § 103 as allegedly being obvious over Kumar et al in view of Simpson, III.

Applicants respectfully submit that the present invention is not obvious over the disclosures of Kumar et al in view of Simpson, III and request that the Examiner reconsider and withdraw this rejection in view of the following remarks.

The Examiner's rejection of claims 22 and 24 is based on his position that it is clear in FIG 5 of Kumar et al that the curved peripheral surface is at least a portion of a spheroid. Applicants respectfully submit that the curved peripheral surface shown in Fig. 5 is not a portion of a spheroid but a portion of a sphere. This is apparent from Figs. 3 and 4 and the corresponding description. Therefore, Kumar et al neither teaches nor suggests a spheroid depression. Accordingly, even if the

disclosures of Kumar et al and Simpson, III were combined, the present invention would not be obtained.

As set forth in claims 22 and 24, an important feature of the present invention, resides in that:

- (1) the depression has a curved peripheral surface that is a portion of a spheroid;
- (2)  $D_a < D_b$ ; and
- (3)  $W_a < W_b$ .

The above feature is unexpectedly quite effective for attaining an improved chip deforming effect and an improved life.

As described in Applicants' specification, from page 13, line 25 to page 14, line 3, and Table 3, by using the relation of  $W_a$  and  $W$  expressed by  $W/2 \leq W_a \leq 2W/3$  both of the improved chip deforming effect and the improved life are unexpectedly improved. The spheroid depression is quite useful for attaining the relation describe above.

For the above reasons, it is respectfully submitted that the subject matter of claims 22 and 24 is neither taught by nor made obvious from the disclosures of Kumar et al and Simpson, III and it is requested that the rejection under 35 U.S.C. §103(a) be reconsidered and withdrawn.

Amendment under 37 C.F.R. § 1.116  
USSN 10/022,365

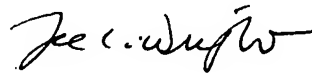
### III. Conclusion

In view of the above, Applicants respectfully submit that their claimed invention is allowable and ask that the rejection under 35 U.S.C. §102 and the rejection under 35 U.S.C. §103 be reconsidered and withdrawn. Applicants respectfully submit that this case is in condition for allowance and allowance is respectfully solicited.

If any points remain at issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the local exchange number listed below.

Applicants hereby petition for any extension of time which may be required to maintain the pendency of this case. The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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Lee C. Wright  
Registration No. 41,441

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

**23373**

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